

Refugee Reports

A News Service of the U.S. Committee for Refugees

1025 Vermont Avenue NW, Suite 920 Washington, DC 20005 (202) 347-3507

Volume IX, Number 8

August 12, 1988

[The U.S. Committee for Refugees and the U.S. Catholic Conference Migration and Refugee Services recently helped send journalist Joseph Cerquone to Vietnam to study the situation of Amerasian children first-hand. This article is his report on that trip.]

AMERASIANS IN VIETNAM: NEW CLIMATE OF HOPE, BUT PROBLEMS REMAIN

When hope for resettlement of Amerasian children rekindled after new U.S. legislation was passed last December, a number of important questions arose in U.S. resettlement circles: how many children could be expected to arrive in the United States? When? How are Amerasians informed in Vietnam about their emigration chances? What are their living conditions like? Are any being forced to leave? And, do all Amerasians want to come to the United States?

One doesn't have to be in Vietnam long to realize that clear answers are difficult to find. Vietnamese officials do speak positively about the future of Amerasian emigration. Moving as many as 12,000 children and 18,000 family members by 1990 is the target set by the Amerasian Homecoming Act [see box]. That goal can be reached, according to Luu Van Than, of the Vietnamese Orderly Departure Office.

Still, he and other authorities in Vietnam offer few details about how they intend to meet that deadline, and, if this reporter's impressions based on a recent visit to Vietnam are accurate, there are many concrete problems to address if the obstacles facing Amerasians are to be resolved.

Key information is incomplete at best. Certainly, emigration to the United States is the option being chosen by many Amerasians. But others are reportedly mistreated by caretakers in Vietnam who ill-inform or "hold back" children as a way of ensuring that they continue to get assistance from parents in the United States. For some, who have good relationships in Vietnam, and appear to have adapted to life there, resettlement may not be the best answer. Vietnamese officials have indicated that Amerasians can remain in Vietnam if they wish. However, in Vietnam, child care experts, those who are qualified to examine and evaluate Amerasian cases in terms of their indi-

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For Amerasians who seek to leave Vietnam, bureaucratic delays can slow their progress. This young woman has tried to leave for many years. Cerquone

vidual needs, don't have processing roles to play. Instead, independent local officials, some of whom can be uncooperative by Hanoi's own admission, sometimes easily frustrate central government attempts to address Amerasian processing.

"They have much to solve," observed Tran Quang Co, Vice Minister of Foreign Affairs, referring to local authorities. "They are not only occupied by the question of the Amerasian children. For them, economic problems are priorities. So we can't give them strict instructions to stop every other activity to concentrate only on Amerasians."

The difficulties mentioned by the vice minister are sizable. Per-capita income in Vietnam is among the lowest in the world; there have been serious food shortages recently--in June, the World Food Program announced it would send Vietnam \$9.1 million worth of aid to help 1.5 million drought victims; and the country suffers from a chaotic economy and deteriorated infrastructure. More than one million children under age five in Vietnam are malnourished, according to the United Nations, and a skyrocketing national birth rate increases the prospect of ever more hungry mouths to feed.

Many Amerasians Living Outside Ho Chi Minh City Have Less Access to Processing

Many Amerasians live far from their storied home, the streets of Ho Chi Minh City. For example, about 300 live in Qui Nhon, a 16-hour drive from southern Vietnam. According to Thong Ninh Tan, Secretary General of the local People's Committee, nearly 900 Amerasian children are in the province surrounding Qui Nhon.

Such statistics have been hard to come by. According to U.S. sources, Hanoi recently released for the first time the names of approximately 2,000 Amerasians and family members in remote provinces. A reliable census of these children is critical, according to experts, to ensure proper processing of their cases. But reliable data on Amerasians in outlying areas are difficult for the Vietnamese to produce. Although Vietnam says that a count is under way, details about it are few and officials admit they can't find some children because outdated addresses have stalled searches. As a result, some children may not know that they are eligible for the Orderly Departure Program (ODP).

When asked what is being done to find and inform Amerasian children in Qui Nhon,

Thong Ninh Tan says that much is being done, as evidenced by two-thirds of the local Amerasians having applied for exit visas. But he is vague about what officials actually do to find and inform Amerasians about their emigration opportunities.

"I love them [the Amerasians in his district] as I love my own," says Tan, an ex-Viet Cong soldier who lost fingers during the war to a mortar shell. But he also comments that "things are still difficult" in Qui Nhon, a city that was virtually destroyed during the war. Apparently, not the least of its problems is the fact that life has sprung abundantly from the ashes of conflict--today there are 45,000 schoolchildren in Qui Nhon, more than triple the number in 1975.

For Amerasians Being Processed, Bureaucracy Tangles Movement Different problems beset Amerasians whose departure applications are being processed. In Vietnam, applicants' papers shuffle and wind through a layered bureaucratic mill in which the responsibility of individual officials is hard to pinpoint, the influence of the Vietnamese foreign ministry--a proponent of Amerasian emigration--is reduced, and child welfare specialists and advocates are absent.

The process is heavily controlled from the local interior ministry offices where authorities may be unenthusiastic or even hostile when an Amerasian approaches them about leaving. Sources say such responses may stem from the fact that helping Amerasians can mean draining already scarce resources needed for other problems burdening local officials, and also because negative wartime sentiments still tinge the views of others.

Whatever may be the case, local influences can figure heavily. In a report last month about Vietnam, the Washington Post noted that "entrenched local party chiefs...rule their provinces like feudal lords." The paper added that corruption is endemic at provincial and local levels, "where party officials preside over traditional, often family-based fiefdoms."

Poor communication systems can also upset, stall, or complicate application procedures, and the long distances some Amerasians must travel from distant provinces to Ho Chi Minh City for interviews by U.S. ODP officials can be prohibitively expensive.

AMERASIAN ACT MAY ADMIT 30,000 BY 1990

The Amerasian Homecoming Act, passed in December 1987, provides for the admission of Amerasians and accompanying family members for a two-year period beginning March 21, 1988. Defined by law as anyone born in Vietnam after January 1962 and before January 1, 1976 whose father was a U.S. citizen, Amerasians and their relatives enter the country with immigrant status but with full refugee benefits.

Processing of Amerasian applications is handled by the U.S. Orderly Departure Program (ODP) office in Bangkok, which is staffed by employees of the U.S. embassy and the International Catholic Migration Commission. ODP teams travel to Ho Chi Minh City every few weeks to interview applicants.

Since September 1982, more than 11,000 Amerasians and close relatives have left Vietnam through ODP. Estimates of the total number who might move by March 1990 run as high as 30,000, with up to 12,000 expected in FY 89. From September to December, ODP officials say, about 9,500 Amerasians will be interviewed. Amerasian admissions do not count against the annual refugee admissions ceiling for ODP (set at 8,500 in FY 88).

The Senate and House FY 89 appropriations bills for refugee migration and assistance both include earmarks of \$15 million for the Amerasian program. With admissions costs averaging just under \$2,000 per refugee, additional money will be needed to admit 12,000 Amerasians in FY 89, but sources in Congress are confident that this will be available through use of existing funding or through supplemental appropriations.

Information on specific Amerasian cases should be addressed to: Orderly Departure Program, American Embassy, Box 58, APO San Francisco 96346-0001. Persons wishing to assist in the resettlement of Amerasians should contact: InterAction, 200 Park Avenue South, New York NY 10003, (212) 777-8210.

And, even when they can afford the trip after families have borrowed or scraped money together, problems can arise. One Amerasian in a faraway province who was given two days' notice to be present for a Ho Chi Minh City interview (a parent blames Vietnamese and U.S. tardiness for the delayed notification) made the trip under trying circumstances only to arrive too late. For several nights, the child had to sleep at a bus station until her U.S. family could get her into a hotel to await the next round of interviewing one month later.

Processing Problems Exist on U.S. Side, As Well Reportedly, only five percent of the approximately 7,000 Amerasians and family members interviewed by U.S. officials since last October have been rejected; however, there are a number of cases where Amerasians with interested, loving parents in the United States are satisfying Vietnamese requirements, but are running into trouble with their U.S. counterparts.

According to one such Amerasian's father--a man who did two U.S. military tours during the war--his boy was left in Vietnam in the early 1970s only because U.S. Embassy staff reversed themselves at the

last minute, rejected the child's papers, and stopped his exit from the country when his family tried to take him to the United States. The father talks critically of U.S. treatment of the case, after years of intense efforts by his family to bring their son to this country.

"I have four cabinet drawers full of papers I've filed," he complains to illustrate the bureaucratic demand he has tried to meet.

Helped by the Amerasian Registry, a San Jose, California, organization that fosters reunifications, these sorts of cases have received wide publicity in recent months and a degree of Congressional attention. For example, Claiborne Pell (D-R.I.), chairman of the Senate Foreign Relations Committee, wrote Secretary of State George Shultz on June 20 urging him to help keep U.S. documentation requirements to a minimum.

"If we don't act soon," Pell told Shultz, "Amerasians will get older and older (many are already past teenage), making their adjustment in the U.S. more difficult."

In July, the State Department appointed staff to troubleshoot queries and complaints about Amerasian processing. [Inquiries can

Poverty is a large part of life for many Vietnamese. Per-capita income is \$180 annually, among the lowest in the world. Cerquone



be made to Ricky Gold or Dan Sullivan (202) 663-1073].

For Some, the Streets Are Still Home

Observers in Vietnam say that the population of street Amerasians in Ho Chi Minh City is down and, in fact, visitors do not see many children loitering around the better hotels.

However, one place is a gathering point for them--a park across the street from the Vietnamese Orderly Departure Office. Among the most desperate of the Amerasians, the children hang out in the park along with several women who say they have Amerasian children.

One of the women, Loi, who says she had four Amerasians by two Americans, indicates that her children won't feel fulfilled until they have some sort of connection with their fathers. "Tell him (the father) that his girlfriend wants the children to have good feelings about Daddy," she says. "I always tell them 'Daddy is very good,' that 'Daddy loves you.'"

In almost flawless English, another woman, Suong, explains that she and Khoa, her Amerasian son, barely get by selling bread and living in a small hut. Conditions for her are a far cry from the time when she lived with an American for four years. "Please don't leave these kids here," Suong pleads. "I want my son to have a better future."

According to the women, some are homeless, and they say their children can't get decent jobs or education in Vietnam because they are of mixed heritage. Some considered trying to leave Vietnam illegally, but they can't afford an escape organizer's asking price. Some contend that Amerasian children have been sold to people who think Amerasians are a ticket to the United States.

The outspoken women overshadow the children who stand nearby. A girl silently holds a letter from an American woman in California who writes that she is frustrated by her inability to care for the girl, her teenage Amerasian grand-daughter.

"I pray you are in good health. There has been much tragedy and illness here," the woman says. "We understand it requires thousands of dollars to have one person come here from Vietnam." Then, she adds, "If I had not wanted to help you, I would not have made the effort to locate you."

What Is The Hold Up? The scene in the park raises a question: since all of these people claim they registered with the government of Vietnam to leave years ago, and all are within the eyesight of authorities who say they favor departures, what blocks their exits--especially since U.S. authorities have complained in the past that Vietnam wasn't producing enough children for interviews?

Answers vary. According to Vice Minister Tran Quang Co, a sense of fairness prevents his government from focussing "special treatment" on any one group, be they Ho Chi Minh City street-Amerasians, or the 60-odd children in Vietnam who--according to the U.S. State Department--have American citizenship papers and are a U.S. processing priority.

But for people in the park like Loi, there is another, simpler answer. "Money makes paper," she declares repeatedly to the firm nods of her peers. Loi's point: bribery is the only way to gain the right documentation and treatment to exit Vietnam legally.

Other reasons are offered. One source speculates that Hanoi may want to keep a certain number of children on the street to keep media focussed on the Amerasian issue. Another indicates Vietnam is deliberately dragging its feet on citizenship cases because it fears that U.S. commitment to an Amerasian program will wane soon after the cases are allowed to leave.

Vietnamese officials do make it clear in discussions that they regard the bilateral Amerasian program as a highly important form of outreach to the United States, one of the very few that has worked, and a key ingredient in their overall foreign policy.

Amerasians Seen Throughout Ho Chi Minh City

Elsewhere in Ho Chi Minh City, Amerasians and their families can easily and literally be stumbled upon. Visitors suddenly met one girl who emerged from darkness as they searched one evening for a restaurant. A frustrated, would-be emigre, the girl hangs around Tan Sun Nhat airport, the place where U.S. ODP officials conduct interviews. Another girl with distinctly Amerasian features huddled with beggars in Cholon, the Chinese section of the city, a good distance from places where Amerasian



Vietnam has a young population and an exploding birth rate. These boys are on the beach at Quit Nhon, a city with 47,000 school-aged children--more than triple the number in 1975.

Cerquone

children are normally seen.

Other journalists tell of seeing Amerasians. One is described as pregnant and working in a market in Ho Chi Minh City. Another is found on the beaches of the resort area of Vung Tau. Long unsuccessful at getting out of Vietnam, she is reportedly becoming ambivalent about leaving.

Mothers like Loi and Suong have counterparts in other places, too. One woman walks the streets of Ho Chi Minh City holding a photo of her ex-lover to her chest. She trails after Americans as they walk about and shop, and will follow them into the better stores to plead her case. Then, too, there is the woman who says in broken English that she is the mother of an Amerasian, had been too sick to care for her child, and was forced by illness to ask a friend to serve as a surrogate mother. The friend is now trying to sell the child, the woman says, adding that her American boyfriend of long ago must return to get things straightened out. "Tell Steve to come to Vietnam," she pleads over and over again.

Progress in Processing Doesn't Mean Departing In mid-summer, U.S. State Department officials were cautiously optimistic about

the future of Amerasian emigration, noting that Hanoi had taken the unprecedented step of providing 10,000-12,000 new names in recent months for processing (some are possibly duplicates). In fact, Washington was so encouraged that it was contacting Vietnamese officials about getting permission to increase its interview trips to Vietnam. Between the beginning of FY 88 last October and this month, eight such trips had been made. Moreover, a new team of medical personnel assigned specifically to Amerasians is now said to be in place in Vietnam, another development which is expected to expedite processing.

Actually moving the Amerasians out of Vietnam is harder. Only 1,600 Amerasian children and family members had departed the country during the first nine months of FY 88, and that has been the case even though several thousand people, most of whom are believed to have exit permits, have already been approved by the United States.

Part of the hold up appears to be a transportation problem. Reportedly, Hanoi wants Air Vietnam, its national line, to have the job of taking Amerasians from the country. However, U.S. officials are balking at that proposal, saying that the car-

rier would be inadequate for moving a significant number of children and unsafe.

Another disagreement revolves around plans for simplifying and easing Amerasian processing. Most recently, Hanoi sent Washington a budget plan for establishing a Ho Chi Minh City processing center. The State Department had yet to respond to the proposal as of August, but it reportedly has considered previous money requests made by Vietnam to be excessive.

Hanoi officials say they are receptive to hearing from private American organizations with proposals for facilitating processing, and in fact, one group--the Pearl S. Buck Foundation--has already taken up that offer. But Vietnamese authorities appear interested in controlling anything which might be undertaken, and, more specifically, in keeping it under the supervision of the Foreign Ministry.

Meanwhile, Amerasian advocates in the United States caution that professionals knowledgeable in social services and other fields need to have leading roles in activities such as census taking and running a processing center if outside assistance is to be worthwhile.

Finally, new hopes for Amerasians exist amidst the uncertainty of relations between the United States and Vietnam. Sobering news broke this month when Vietnam suspended cooperation with the United States on several humanitarian issues. According to Stephen D. Goose, a spokesman for Rep. Bob Mrazek (D-N.Y.), the chief sponsor of the Amerasian Homecoming Act, the development is expected to affect the American POW/MIA issue and the fate of Vietnamese re-education prisoners, but not Amerasians.

Yet, such actions clearly won't help, either. And it remains to be seen how deeply such moves in the coming months will touch Amerasians and their relatives from Qui Nhon to Ho Chi Minh City, the mothers in the park, and the girl with a letter from her grandmother in California.

Update

° Vietnam has announced that it is willing to take back refugees who wish to return home and to expand opportunities for legal migration, according to a UN official who

returned from a visit to Hanoi on August 1. "I have been assured that [boat people] will not be arrested on return and put into re-education camps," Sergio Viera de Mello, head of the Asia office of the UN High Commissioner for Refugees (UNHCR), said in an interview in Geneva. The UNHCR would assist the returnees in their reintegration both by providing international aid and by monitoring their status, he said.

"The Vietnamese government and the UNHCR agree that in order to reduce the boat people phenomenon, there must be an increase in legal departures," de Mello said. Since 1980, more than 135,000 refugees and immigrants have left Vietnam directly for resettlement countries via the Orderly Departure Program (ODP), including 63,000 to the United States. "But these figures are insufficient," said de Mello, "and for ODP to become the only channel out of the country, the pace has to quicken."

Meanwhile, on July 16, Vietnam announced that it will allow more than 50,000 former political prisoners and their families to leave for the United States. "Both sides are hopeful that the processing of released detainees can begin within the next several months," the Vietnam News Agency reported, following two days of talks in Hanoi between Deputy Foreign Minister Tran Quang Co and Deputy Assistant Secretary of State Robert L. Funseth.

In early August, however, the Vietnamese suspended cooperation with the United States in locating the remains of missing-in-action (MIAs), according to The Washington Post. The move was seen by knowledgeable sources as a setback for initiatives on political prisoners, possibly for the duration of the Reagan Administration.

° On July 20, Thailand announced that any of Khao I Dang refugee camp's 17,000 Cambodian residents who have not been accepted for resettlement by August 31 will be moved to a new site on the Thai-Cambodian border, where they will be barred from resettlement, according to a report in The Nation, a Bangkok-based English language newspaper.

The same deadline will apply to 4,000 "land Vietnamese," so called because they entered Thailand by way of an overland route through Cambodia. Both the Cambodian and Vietnamese groups will be transferred to Ban

Ban Thad, a new facility that was built to house newly arriving boat Vietnamese who, since January, have also been denied access to resettlement. Ban Ban Thad is just south of Site 2, with a population of 160,000 Cambodians and the land Vietnamese.

Khao I Dang was formally closed to new arrivals in January 1987, but international resettlement processing has continued to be available for the legal residents of the camp, numbering 15,869 as of June. An estimated 3,000 Cambodians are living in the camp illegally, according to a senior Thai official, who said that they too will be moved to Ban Ban Thad.

o The level of violence against Vietnamese boat refugees in Southeast Asia has risen dramatically in the last year, according to UN sources. Comparing the first half of 1987 with the first half of 1988, the number of dead and missing increased from 9 to 165, and the number of rapes and abductions increased from 57 to 116. Most of the violence is still attributed to piracy in the Gulf of Thailand.

Meanwhile, Vietnamese boat people continue to arrive in the region at nearly double the rate of last year. From January to June 1988, 24,489 arrivals were counted in Southeast Asian asylum countries, according to the UNHCR. During the same period last year, 13,845 Vietnamese arrived.

Country	Arrivals 1987 (First Half)	Arrivals 1988 (First Half)
Thailand	5,372	4,198
Malaysia	4,090	8,236
Indonesia	896	780
Philippines	2,064	1,803
Hong Kong	1,000	9,197
Singapore	409	236
Japan	25	79
Others	3	0
TOTAL:	13,859	24,529

Hong Kong has experienced the largest number of boat arrivals in the region (see chart above). A senior government official has said that 4,500 Vietnamese reached Hong

Kong in July alone, despite the British colony's new screening policy. As of June 16, all Vietnamese boat arrivals in Hong Kong must establish a "well-founded fear of persecution" in an interview with local immigration officials before they will be allowed to seek resettlement. Those who are screened out face detention until they return to Vietnam.

° A 37-year-old Salvadoran refugee in the Mesa Grande camp was murdered on July 25 in an allegedly unprovoked attack within the camp limits by Honduran military personnel, according to UNHCR sources. Members of the Honduran "territorial forces" reportedly attacked Jose Maria Ayala Leiya while he was farming. After being severely wounded, he was forced outside the camp perimeter, where soldiers shot him in the head at close range and smashed his skull.

The UNHCR is demanding a judicial investigation of the incident. Another Salvadoran refugee was similarly killed at the Colomoncagua camp on April 23 (see Refugee Reports, Vol. IX, No. 5).

° About 1,850 Salvadoran refugees in the Mesa Grande camp in Honduras are scheduled to repatriate voluntarily on August 13. They are planning to return to towns in the Chalatenango and Cabanas departments. If the repatriation goes forward as planned, the Mesa Grande camp population will be reduced to 3,786 refugees. Some 4,500 repatriated from Mesa Grande in October 1987 (see Refugee Reports, Vol. VIII, No. 10).

Another 9,550 refugees reside in Colomoncagua and San Antonio. As of August 1, 117 refugees from Colomoncagua had voluntarily repatriated on an individual basis in 1988, according to UNHCR.

As of the end of May, 7,904 refugees had voluntarily repatriated within Central America. Since the beginning of the year, 5,562 Nicaraguans, 1,582 Guatemalans, and 760 Salvadorans had returned to their home countries. For the whole of 1987, 4,065 Nicaraguans, 1,022 Guatemalans, and 5,848 Salvadorans repatriated, UNHCR reported.

° Nearly 100 Salvadoran refugees have held two hunger strikes this summer to protest lack of protection and poor living conditions. Fifty refugees, in Colomoncagua

and San Antonio, started a hunger strike on June 29, which lasted nearly a month, and another 35 refugees in Mesa Grande held a hunger strike from June 17-23.

In a statement released on June 25 in response to the refugees' demands, UNHCR/Honduras defended its actions. Some of the tension between UNHCR and the refugee population stemmed from an incident on May 25 in which a group of refugees forcibly opposed a voluntary repatriation operation. At the time, UNHCR removed its staff from the camp for several hours.

The June 25 statement reiterated UNHCR's commitment to "individually consented voluntary repatriation," and also to remain in the camps "day and night". UNHCR also defended its levels of food, water, and medical assistance. It said, "UNHCR firmly reiterates that it has never and will never make cuts in the food diet to pressure refugees to voluntarily repatriate."

° The International Council of Voluntary Agencies (ICVA) sent a team to Salvadoran refugee camps in Honduras June 11-18 to study the situation and make recommendations. The mission reported, "As a result of the tense and closed situation in which the refugees live, there is a real distrust of UNHCR. Moreover, the refugees frequently linked UNHCR to the Honduran military and to the U.S. embassy, all of which are considered to be hostile to their cause." The report also noted even greater distrust between UNHCR and voluntary agency personnel.

The ICVA mission recommended, among other things, that Honduras cease harassment of the refugees by its military forces, especially the "territorial forces." It opposed any relocation of Salvadoran refugee camps to other sites within Honduras. It urged UNHCR to reinforce protection measures and to recognize the refugees' request for 24-hour protection. It said, "The mission recognizes and fully supports UNHCR's responsibility for repatriating individual refugees upon their request." However, it urged that "the practice of repatriating refugees during the night be limited as much as possible," since it is insensitive to the refugees' feelings.

The mission called on voluntary agency personnel to promote refugees' understanding of UNHCR and to strengthen collaboration

among the refugees, UNHCR, and the agencies. It urged agency workers not to "engage in public denunciation of UNHCR through advertisements in the press." The mission called on the refugees themselves to "recognize the advantages of dialogue and cooperation," and also to be attentive to safeguarding the right of individuals to voluntarily repatriate.

° On July 22, the Canadian Parliament approved two controversial bills (C-55 and C-84) that will restrict access of asylum seekers to Canada's refugee determination process. The new laws allow the Canadian government to pre-screen asylum applicants' eligibility and credibility before their cases can be heard. Grounds for exclusion include existence of "safe countries" through which prospective refugees passed before entering Canada, and to which they would be deported (see Refugee Reports, Vol. VIII, No. 6).

The new laws also include heavy fines and jail terms for those involved in assisting undocumented aliens to enter Canada illegally.

Recent Developments

CUBAN-AMERICANS BECOME FIRST GROUP TO SPONSOR REFUGEE ADMISSIONS PRIVATELY

The Cuban American National Foundation (CANF) will privately sponsor 500 to 600 refugees for admission to the United States this fiscal year, the first group in modern times to sponsor refugee admissions to the United States without federal funding.

CANF signed an agreement with the government on June 13 at a White House ceremony attended by Vice President George Bush.

CANF had proposed to admit up to 1,500 Cuban refugees in Panama, Costa Rica, Peru, Venezuela, and Spain, but the program started later than anticipated, so the full number will not be reached this year.

The Cubans who will be eligible for private sponsorship are those who left Cuba before January 1, 1988 and who have lived in these other countries since then. The Cubans in Central America live in "horrible conditions," according to Robert Torricella of CANF in Miami. They have not been al-

lowed to work or to avail themselves of public services such as education and health care, and are maintained financially by relatives in the United States. "It has been very tough on the families here," he said.

Five years ago, CANF set up the Cuban Exodus Relief Fund in order to support Cubans in these third countries, according to Francisco Hernandez, director of CANF and president of the Cuban Exodus Relief Fund. The project has raised \$2.5 to \$3 million to support needy families and provide scholarships to Cuban children in exile, he said.

"We have been working on this [Private Sector Initiative] program for more than two years now," Hernandez said. "Throughout all these months we have discussed and analyzed again and again the responsibilities. I am confident that it will be a success."

Volags Pose Questions on Private Sponsorship The Private Sector Initiative (PSI) dates back to the Presidential Determination of October 17, 1986 formalizing the approval of 4,000 refugee admissions places in FY 87 as a special reserve to be used "upon the availability of private sector funding sufficient to cover the essential and reasonable costs of such admissions."

None of the 4,000 approved admissions places for the PSI were utilized in FY 87, and the major voluntary agencies involved in refugee resettlement have questioned various aspects of the program.

"The whole structure of refugee services is based on a combination of private and public support," said Wells Klein, executive director of the American Council for Nationalities Service (ACNS) and chairman of the Subcommittee on Domestic Concerns of InterAction's Migration and Refugee Committee. "When you take away the public support, it becomes very difficult to wend your way through all the difficulties of providing adequate care at a reasonable cost."

Fr. Richard Ryscavage, S.J., deputy director of Migration and Refugee Services of the U.S. Catholic Conference, a voluntary agency with long experience in resettling Cuban refugees, said that "the problem of starting a new program will be its financial basis."

The private sponsor, he said, will be responsible for "practically everything," and will end up "paying all kinds of costs."

He pointed out the "incredible" liabilities on medical coverage as an example of costs that might not be fully anticipated in a "start up" program.

Ryscavage also expressed concern about how "a straight advocacy group can set up a social service structure" to provide full resettlement services.

Hernandez said that CANF has been working closely with Ayuda, Inc., a local Miami social service agency, for the past several years to help Cuban refugees. He said that each privately sponsored refugee will have a "relative, friend, or private corporation" as a sponsor, will have a job available, and a medical insurance policy paid six months in advance before they will be given travel documents.

Mario Portuondo, assistant executive director of CANF, who works in Washington, D.C., described CANF as a "think tank going into the refugee business." He said, "We publish monographs on Cuba. We have no background in social services."

In Miami, however, Torricella, who is the assistant to the project director, said that "the response of the community has been very favorable." CANF is working on a comprehensive medical plan, he said, and is having success lining up potential employers and family members willing to help.

Interest, Obstacles in Expanding Private Sponsorship A May 24 information paper from the Office of the U.S. Coordinator for Refugee Affairs on the CANF's Private Sector Initiative said that there is currently "strong interest" from several other non-governmental groups in private sponsorship. But, it said, "there are still major obstacles standing between possibly successful tests and full use of the 4,000 numbers, much less the permanent private sponsorship program some of us would like to see in this country."

Among those obstacles is a lack of any federal funding to cover administrative costs of potential private sponsoring groups. "The program will never get beyond small tests if we don't come up with some walking around money" to cover the costs of groups working with volunteer networks to sponsor refugees, a federal official said.

Although interest in the PSI has been expressed from a variety of groups and individuals, according to a government

source who works closely with the program, so far the strongest candidates for actually getting private sponsorship projects off the ground have been well-endowed private organizations that have an interest in a particular refugee group, often related to the sponsoring group by close ethnic or family ties.

"It raises a question of equity," said Ryscavage. "Certain wealthy communities can do it. Others can't."

Klein added, "Since there are far more refugees in the world who could benefit from resettlement than available openings, we are forced to make a Solomon-like judgment on who we bring in."

"The danger of private sponsorship," he said, "is that certain refugees will be bought into this country solely because particular interest or affinity groups are willing to pay for these specific people while others in greater need are simply left out. As in the case of these Cuban admissions, it belies the intent of the Refugee Act and every sense of equity. It sets a very dangerous precedent."

A State Department source said that the government is working to prevent the initiative from becoming a "buy your refugee" program. "We are especially interested," he said, "in proposals which offer to resettle some unknown refugees who are financially needy."

The State Department source added that "we have agreed that a significant percentage [of the Cubans being sponsored by the CANF] be non-family, non-friend reunion cases."

Looking beyond the current Cuban case-load, the State Department source said, "We want to look for refugee candidates from nationalities we are already processing in the regular program." He said the refugee groups under most active consideration are refugees approved for U.S. admission who are now in long waiting lines, such as certain East European nationalities waiting in Western Europe.

Another concern that has been expressed in some voluntary agency circles is that the PSI could result in a lessening of government commitment towards refugee admissions.

"It could be an easy way out for the government," said Ryscavage, "to let private sponsorship substitute for government

commitment instead of complementing it." He termed this a "remote danger," but one that "needs to be faced straightforwardly."

A government source said, "We are deadly serious that this is a way to get more refugees in."

STATE DEPARTMENT RESUMES LIMITED REFUGEE PROCESSING FROM SOVIET UNION

Less than two weeks after suspending refugee processing from the Soviet Union for the remainder of the fiscal year, the State Department partially reversed itself and allowed an additional 400 people to emigrate to the United States. But unless additional government funding is found, State Department officials say, the remaining 3,000 Soviets--primarily Armenians--affected by the suspension will either have to enter the country through private financing or wait until October 1, when new funds will become available.

A surge this past year in refugee applications from Armenians and Jews in the Soviet Union forced the Administration to double the FY 88 admissions ceiling for Eastern Europe and the Soviet Union from 15,000 to 30,000. The overall budget for refugee admissions, however, remained at \$119.5 million. When the State Department temporarily halted visa interviewing in Moscow on July 4, citing budgetary constraints, the move was met with protests from Congress and private voluntary organizations. (see *Refugee Reports*, Vol. IX, No. 7)

State Department Seeks Privately Financed Admissions for Some Soviets

Acknowledging the "desperate straits of many of those who were caught unaware by our postponement action," a State Department report said, "We have managed to squeeze out roughly one half million dollars from the refugee budget" to process about 400 people who had been scheduled interviews between July 5 and July 8. For the remaining 3,000, "departure between now and October 1 will depend on funding from private sources--from families themselves, from their relatives in the United States, or from private voluntary organizations."

"We are going to have a private sector plan," said Don Krumm, an official with the State Department's Bureau for Refugee Programs. He told Refugee Reports that the Immigration and Naturalization Service (INS) and the State Department were working on a plan to notify potential American sponsors asking them to file an affidavit of support for their Soviet relative. Some time before the end of August, Krumm said, an INS officer will be stationed in Moscow to interview applicants for refugee status. Those who are approved as refugees will be responsible for funding their own entry into the United States, particularly transportation costs, but will be eligible for domestic resettlement benefits. Persons rejected for refugee status will enter as immigrants or possibly with parole status.

"On the technical level, I can understand why the Administration is doing this," Karl Zukerman, executive director of the Hebrew Immigrant Aid Society (HIAS), told Refugee Reports. "But having created the crisis, they might well have waited to see about supplemental funding. Private citizens may be spending money they don't need to spend."

Zukerman opposed the idea of INS refugee interviewing in Moscow. "First of all," he said, "people will be reluctant to speak freely inside the Soviet Union, no matter who they are talking to." Soviet Jews, in particular, may be unwilling to cite specific examples of persecution and discrimination. "Second, our agency cannot represent or counsel refugees in the Soviet Union," said Zukerman. HIAS provides these services once Soviet Jews have left the USSR and reached transit points in Rome or Vienna, where, up until now, INS interviewing has taken place. "The potential for damage to Soviet Jewish interests is great," he said.

Congress Passes Emergency Supplemental Funding The House of Representatives already has passed a dire emergency supplemental appropriations bill (H.R. 5026), providing an additional \$24 million for emergency refugee migration and assistance in FY 88. Of this, \$6 million would cover admissions of another 3,000 Soviet refugees, and the remaining \$18 million would supplement overseas assistance programs, primarily in Africa.

The Senate version of the bill did not include supplemental refugee funding, as the sum would have exceeded budget authorities under the Budget Act. When the two houses of Congress met in conference committee to reconcile the different versions of the bill, however, the Senate agreed to yield to the House on the refugee funding. As of August 12, the bill was awaiting the President's signature, according to government sources.

JUSTICE DEPARTMENT PROPOSES LIMITING THE SCOPE OF ASYLUM HEARINGS IN SOME DEPORTATION PROCEEDINGS

A revision in asylum procedure allowing immigration judges to limit the scope of evidentiary hearings on certain asylum claims in exclusion or deportation proceedings has been proposed by the Justice Department in the July 27 Federal Register.

If an asylum applicant had "participated in the persecution" of others, committed a "serious crime" in the United States, or poses a "danger to the security of the United States," immigration judges would not need to consider evidence of the applicant's fear of persecution if returned to his home country.

The proposed regulation would permit immigration judges only to consider evidence about whether the asylum applicant facing deportation or exclusion committed a "serious crime" or one of the other grounds for excluding withholding of deportation.

"The main problem arises in those cases where the refugee committed a significant offense in the United States, such as a burglary, assault, or weapons possession, and, after serving any sentence imposed, would be returned to the home country to face serious persecution," said Arthur Helton, director of the Political Asylum Project of the Lawyers Committee for Human Rights.

"To deny refugee protection," said Helton, "in such cases would be disproportionate and contrary to international refugee law which requires that the gravity of the offense be balanced against the gravity of the persecution feared. Where a threat to life or freedom is involved, only

the most serious of felonies should render a refugee unworthy of protection."

The regulation was proposed in response to an eleventh circuit court of appeals case, Arauz V. Rivkind, in which the court concluded that an immigration judge had erred in refusing to take evidence on the likelihood of persecution abroad of an alien who had been convicted in the United States of conspiracy to possess with intent to distribute marijuana.

INS ORDERED TO RELEASE CHILDREN TO THEIR PARENTS OR OTHER RESPONSIBLE ADULTS

The Western Region of the Immigration and Naturalization Service (INS) was ordered by a California federal court judge to release any child under its detention to his parent, guardian, or "other responsible adult party," if the child is otherwise eligible for release on bond or recognizance.

The May 24 ruling by Judge Robert J. Kelleher of the Central District of California also stipulated that any minor taken into INS custody must be afforded a hearing to determine probable cause for his arrest and on the need for any restrictions placed on his release.

The decision represents the final order in a three-year class action suit, Flores v. Meese, challenging the practice in INS's Western Region of refusing to release juveniles on bail unless a parent or legal guardian personally appeared to take custody of them (see Refugee Reports, Vol. V, Nos. 19 and 20, and Vol. IX, No. 7).

The suit termed the INS policy a "thinly veiled device to apprehend the [undocumented] parents of incarcerated juveniles and to punish children for allegedly having entered the United States without lawful authority."

Jenny Flores, a 15-year-old Salvadoran, was arrested by INS agents in 1985. Although not charged with having committed any crime, she was found deportable for having entered the country illegally. Although she was able to post bond, the INS refused to release Flores from detention to an adult other than her parent. Her mother, the suit said, refused to appear before INS agents to accept custody of her daughter because "she fears she will be taken into custody and

deported to El Salvador, where a civil war currently exists."

Flores remained in detention for two months; she shared sleeping quarters with twelve unrelated women, five of whom were adults.

"This court order will end the nightmare for many recently arrived immigrant and refugee children who have, until now, been jailed with unrelated adults in conditions which shock the conscience," said Carlos Holguin of the National Center for Immigrants' Rights and lead counsel in the case.

Holguin said, "These children will no longer be held as 'bait' to force the surrender of their undocumented parents. They are not criminals and many have suffered great trauma leaving home countries torn by civil war."

At the time of the judgment, William Odencrantz, western regional counsel for the INS, told the Los Angeles Herald Examiner, "We are very concerned with releasing kids to somebody who is a 'responsible adult'. I guess [Judge Kelleher] doesn't have as much concern about making those determinations as we do."

The court order only applies to the INS Western Region. Recent INS regulations on the detention and release of juveniles only allow parents to designate other responsible adults to assume custody of their children in rare circumstances (see Refugee Reports, Vol. VIII, No. 11).

Current Research

SENATE STAFF REPORTS ON AFGHAN REPATRIATION PROSPECTS

Afghan refugees are not likely to return suddenly, but only after a realistic assessment of the situation in their homeland, according to a recently released Senate staff report.

"Afghanistan: Peace or Repatriation?" was prepared by a bipartisan team from the staff of the Senate Subcommittee on Immigration and Refugee Affairs based on a week-long "snap-shot" view of the situation in Pakistan in early April.

The report takes a relatively optimistic view of the prospects for an orderly repa-

triation, but notes that the return (including refugees from Iran as well as Pakistan, and also internally displaced persons) will involve nearly 45 percent of Afghanistan's population. "In per-capita terms," the report observes, "the Afghan repatriation could be one of the world's largest."

It also notes that "the obstacles to the establishment of a repatriation, resettlement, and rehabilitation infrastructure within Afghanistan are extraordinarily serious."

Among the difficulties cited were "a vast array of land mines and other unexploded ordnance," war damage to roads and irrigation, as well as the uncertain political situation.

Nevertheless, the report suggests that the refugees are well aware of the situation within Afghanistan and will not return prematurely. It predicts that "many families will be able to reintegrate successfully on their own without massive assistance."

On the positive side, it notes that as many as 80 percent of the refugees are within 250 kilometers of the Pakistan border and that many "will be able simply to walk home." The agrarian background of some 90 percent of the refugees will also limit the cost of housing, jobs, and other support usually associated with urban refugee populations, the report suggests.

The report also expresses strong confidence in the expertise of UN, Pakistani, and voluntary agency relief personnel currently operating in Pakistan and says that their programs "can easily be transformed from relief to repatriation."

U.S. Leverage "Extremely Limited" The report makes several policy recommendations to the U.S. government, all of which call for maintaining flexibility to accommodate any of the possible future outcomes in Afghanistan.

It warns the United States not to make the same mistake that "haunted the Soviet Union for nine years"--for an outside power to think it can determine winners and losers within Afghanistan.

"The United States should recognize its limited ability to affect the situation inside Afghanistan and should understand that whatever influence and leverage the United States can exercise with the Afghans is, at

best, attenuated." The report warns, "For that reason, the United States should take care that it not become identified with one Afghan faction over any of the others."

The report suggests that "the way in which the United States distributes its assistance to the Afghans in the future--which Afghans receive the aid, how and from whom--is a problem that deserves serious attention."

"It may well be wise, at this point," the report recommends, "to multi-lateralize our cross-border AID operation so that other nations--e.g., Saudi Arabia, Pakistan, China,--are also involved in this effort."

Successful Repatriation Depends on Rehabilitation While the report gives high marks to the existing network of support for refugees in Pakistan, it warns that the international community must be prepared to face far greater difficulties within war-torn Afghanistan.

Basic rehabilitation assistance within Afghanistan--such as the provision of transitional food supplies, seeds and farm implements, medicines, public health and logistical support--were found to be "essential" for a safe return. The report suggests that meeting these basic needs for returnees in Afghanistan "will be the greatest challenge facing the repatriation effort."

CITIZENS COMMISSION REPORTS ON AFGHAN REFUGEES

A Citizens Commission on Afghan Refugees, convened by the International Rescue Committee, has issued a report on the situation of Afghan refugees in Pakistan and on the prospects and problems of their repatriation.

Lionel H. Olmer, chairman of the Commission, told the Senate Foreign Relations Committee on June 23 that the words "hope and anticipation" characterized the current refugee situation in Pakistan.

The Commission listed three "absolute preconditions" for a safe return:

1) Physical security--"they will not return without a reasonable assurance that large-scale military operations have termi-

nated (and will not be reinitiated; a protracted civil war after the departure of Soviet troops would stall repatriation). In addition, steps must be taken to deal with the estimated 3 to 5 million anti-personnel mines placed by Soviet forces in roads and fields."

2) Food and water--sustenance will be needed not only to sustain returning refugees, but they will need help in rebuilding farms and irrigation systems.

3) Basic health care--the threshold level of health care in the refugee camps in Pakistan "must be moved from the camps into Afghanistan as the refugees return."

Afghan Women at Risk The Commission report gives detailed attention to health care issues, much of which relate specifically to Afghan women. The report notes that the birth rate in Pakistani refugee camps is the highest recorded in the world, 400 per thousand. It further estimates that 90 percent of Afghan women are illiterate.

"The teaching of modern medical practices," the report states, "is impeded by the low literacy rate and the isolation of women.... The serious shortage of women skilled in primary care and birthing techniques is compounded by the unwillingness of many women to be treated by men and/or the refusal of their husbands to permit it."

Despite the problems, the report cited studies showing that the health of Afghan refugees inside Pakistan is improving. However, the report warns, without continuing to provide adequate food, safe water, and basic health services, "the health status of returning refugees could rapidly deteriorate."

"It is no exaggeration to say that there exists the potential for a real medical disaster," the report said.

Committee for Afghanistan, found that one-third of all farms in the 80 percent of the country controlled by the Mujahedin had been abandoned. Production on the remaining farms had fallen by 50 percent since 1978.

By 1987, the survey found, the numbers of cattle had dropped by 55 percent, sheep and goats by 66 percent, and horses by 45 percent. "Many animals were shot by troops and helicopter gunships of the Kabul regime, or blown up by landmines," the report noted.

"This is the largest and most comprehensive survey ever conducted of agriculture in Afghanistan," said Dr. Azam Gul, director of the survey, and former chairman of the Department of Agronomy at Kabul University. "We wanted to expose the largely unreported war which is continuing against the agricultural system there, and at the same time to provide the basic information needed for relief and rehabilitation in the country."

The survey was based on interviews with 20,000 farm family households and nearly 800 communities throughout Afghanistan (although only about half of the interviews were entered into the database).

Interviews were conducted both in Pakistan refugee camps as well as rural areas controlled by the Mujahedin. The report found that refugee farmers, on the whole, were wealthier than those who stayed behind. They had owned more land and livestock before the Soviet invasion than their resident counterparts.

The report observed that successful repatriation of refugee farmers "should take place over a period of years rather than months." It also recommended that repatriation and post-conflict reconstruction efforts "should be tailored to the characteristics of provinces, districts, even individual valleys."

AFGHAN AGRICULTURAL SURVEY SHOWS WIDESPREAD DEVASTATION

The most comprehensive survey ever undertaken of Afghanistan's agriculture shows that food production has dropped to 45 percent, at the most, of the levels prior to the 1979 Soviet invasion.

The survey, implemented by the Swedish

Reader Exchange

The Office of Refugee Resettlement in the Department of Health and Human Services has a new address in Washington, DC. The new mailing address is: Office of Refugee Resettlement, Family Support Administration, DHHS 370 L'Enfant Promenade, S.W., 6th Floor, Washington, D.C. 20447. ORR's new telephone number is (202) 252-4545.

INDOCHINESE REFUGEE ACTIVITY
Camp Populations By Ethnic Group
Monthly Report for May 1988

COUNTRY	CAMP	LAO	HIGHLAND	KHMER	VIETNAMESE	TOTAL
HONG KONG	Argyle St. Camp 3	0	0	0	573	573
	Argyle St. Camp 4	0	0	0	1,237	1,237
	Cape Collinson	0	0	0	579	579
	Chi Ma Wan	0	0	0	2,284	2,284
	Green Island	0	0	0	600	600
	Hei Ling Chau	0	0	0	2,895	2,895
	Kai Tak North	0	0	0	2,702	2,702
	Sham Sui Po	0	0	0	504	504
	Tuen Mun	0	0	0	2,291	2,291
	Victoria Remand Cen.	0	0	0	35	35
	SUBTOTAL	0	0	0	13,700	13,700
INDONESIA	Galang--1st Asylum	0	0	0	1,668	1,668
	Hawkins Road	0	0	118	0	118
	Outer Islands	0	0	0	96	96
	SUBTOTAL	0	0	118	1,764	1,882
MALAYSIA	Pulau Bidong	0	0	0	9,770	9,770
	Sungei Besi	0	0	0	3,509	3,509
	SUBTOTAL	0	0	0	13,279	13,279
PHILIPPINES	Bataan ODP	0	0	0	4,100	4,100
	Bataan RPC	905	0	2,168	6,719	9,792
	Palawan	0	0	0	3,250	3,250
	PRTC	0	0	0	180	180
	SUBTOTAL	905	0	2,168	14,249	17,322
THAILAND	Ban Nam Yao	0	1,783	0	0	1,783
	Ban Vimai	255	34,448	0	0	34,703
	Bangkok Transit	12	20	55	30	117
	Chiang Khao	105	17,441	0	0	17,546
	KapChereng	0	0	1,141	0	1,141
	Khao I Dang	0	0	15,869	0	15,869
	Napho	17,968	704	0	0	18,672
	Phanat Niksom WPC	78	7,247	550	0	7,875
	Phanat Prongklong	1,973	845	2,542	17,356	17,616
	Phanat Prongklong	0	0	0	229	229
	SUBTOTAL	20,291	62,488	26,157	17,615	116,551
GRAND TOTAL		21,196	62,488	22,443	56,972	163,099

Source: Bureau for Refugee Programs, Department of State

REFUGEE REPORTS is published monthly for \$28.00 per year for one subscription, \$20.00 each for two or more subscriptions to the same addressee, or \$20.00 each for ten or more subscriptions requested at the same time, mailed to separate addresses; overseas postage, \$24.00 additional; by ACNS, 95 Madison Avenue, Third Floor, New York, NY 10016. Second Class Postage paid at New York and additional mailing offices. POSTMASTER: send address changes to *Refugee Reports*, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204.

Editorial comments and inquiries should be sent to: *Refugee Reports*, 815 Fifteenth Street NW, Suite 610, Washington, DC 20005. All communications regarding subscriptions should be sent to: Refugee Reports Subscriptions, Sunbelt Fulfillment Services, P.O. Box 41094, Nashville, TN 37204. (615) 377-3322.

Basic subscription rate for 12 issues per year: \$28.00; Multiple-copy rate: \$20.00; Single copies of back issues: \$2.50

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Refugee Reports

A News Service of the U.S. Committee for
Refugees, a Project of the American
Council for Nationalities Service
Sunbelt Fulfillment Services
P.O. Box 41094
Nashville, TN 37204

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